

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
ZONING VARIANCE *
N/S Bird River Grove Road, 3650' * ZONING COMMISSIONER
+/- E of c/l Ebenezer Road *
11112 Bird River Grove Road * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District * Case No. 96-391-A
Robert M. Wood, et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Robert M. Wood and Catherine Mary Wood, his wife, for that property known as 11112 Bird River Grove Road in the Bird River Grove subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit side yard setbacks of 10 ft and 11 ft. in lieu of the required 35 ft. for an attached two story addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING
Date 5/13/96
By M. Howard

MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Area and is subject to compliance with the recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), dated April 23, 1996, pursuant to Section 500.14 of the Baltimore County Zoning Regulations (BCZR). The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

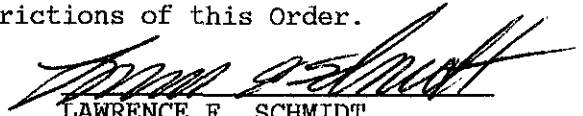
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of May, 1996 that the Petition for a Zoning Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit side yard setbacks of 10 ft and 11 ft., in lieu of the required 35 ft., for an attached two story addition, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall strictly comply with all requirements, policies and conditions imposed by the Development Plans Review Division as set forth in their Zoning Plans Advisory Committee comment, dated April 26, 1996, and the requirements of DEPRM as set forth in their Zoning Plans Advisory Committee comment dated April 23, 1996 (attached hereto). Building permits shall be issued only upon the Petitioners' compliance with these standards.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 5/13/96
By M. Dook

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 13, 1996

Mr. and Mrs. Robert M. Wood
11112 Bird River Grove Road
White Marsh, Maryland 21162

RE: Petition for Administrative Variance
Case No. 96-391-A
Property: 11112 Bird River Grove Road

Dear Mr. and Mrs. Wood:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

MICROFILMED





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at

96-391-A

1112 Bird River Grove Rd.

which is presently zoned

RC2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A01.3.B.3 (BCZR)

To permit a side yard setbacks of 10 feet and 11 feet in lieu of the required 35 feet for the attached 2-story addition.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To allow new addition to existing structure to extend 4' out on each side into side setback requirement. This will allow an increase of square footage and provide aesthetic and proportional appeal to entire overall structure. 4' or more on each side would be preferable.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s).

Robert M. Wood

(Type or Print Name)

Robert M. Wood

Signature

Catherine Mary Wood

(Type or Print Name)

Catherine Mary Wood

Signature

1112 Bird River Grove Rd. (410) 335-0238

Address

Phone No.

Whitemarsh, Md.

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Robert Wood

Name

Same

Address

Same

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY:

R.T.

DATE:

4-9-96



Printed with Soybean Ink
on Recycled Paper

ITEM #:

393

ESTIMATED POSTING DATE:

MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11112 Bird River Grove Rd.
address
Whitemarsh, Md. 21162
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Not enough square footage
Need variance to allow for house to have a better aesthetic
appeal and to give building proportionality.
2' to 4' on each side of building would help. Without the
variance, the structure will be very straight lined & boxy.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Robert M. Wood
(signature)
Robert M. Wood
(type or print name)



Catherine Mary Wood
(signature)
Catherine Mary Wood
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of April, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert M. Wood & Catherine Mary Wood

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-5-96
date

James M. Fehring
NOTARY PUBLIC

My Commission Expires: Sept 1, 1996

EXAMPLE 3 -- Zoning Description

96-391-A

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 11112 BIRD RIVER GROVE RD.
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)

BIRD RIVER GROVE RD. which is 30 ft 6"
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 3650' EAST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street EBENEZER RD.
(name of street)

which is 30' 6" wide. *Being Lot # 10
(number of feet of right-of-way width)

Block — Section # B in the subdivision of BIRD RIVER GROVE
(name of subdivision)

as recorded in Baltimore County Plat Book # C.H.K. #3 Folio # 1

containing 0.33 Acres Also known as 11112 BIRD RIVER GROVE RD.
(square feet or acres) (property address)

and located in the 15th Election District, 5th Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

MICROFILMED

ITEM # 393

Zoning Description 96-391-A

Zoning Description For 11112 Bird River Grove Road

Being known and designated as Lot. # 10,
Block _____, section # B in the Subdivision of
Bird River Grove as recorded in Baltimore County
Plat Book # C.H.K #13, Folio # 1
Containing .33 acres. Also known as 11112
Bird River Grove Road and located in the
15th Election District, 5th Councilmatic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF . INCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No

ITEM # 393

DATE 4-7-76 ACCOUNT R-001-6150

CP - VAR = \$50.00

OSI - SIGAL - \$35.00

AMOUNT \$ 85.00

RECEIVED
FROM:

Robert Wood

96-391-A

FOR:

ADAM VARNANCE

MICROFILMED

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

LN0277MICHRG

0003-537404-02-94

\$85.00

MICROFILMED

ITEM # 393

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-391-A

District 15th Date of Posting 4/21/96
Posted for: Adm. Variance Closing 5-6-96
Petitioner: Robert M. Wood, et al
Location of property: 11112 Bird River Grove Rd.
Location of Sign: Facing roadway on property boundary
Remarks: _____
Posted by: [Signature] Date of return: 4/26/96
Number of Signs: 1

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

96-391-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 393 Petitioner: Robert Wood

Location: 11112 Bird River Grove Rd Whitmarsh, Md. 21162

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert Wood

ADDRESS: 11112 Bird River Grove Rd.

Whitmarsh, Md. 21162

PHONE NUMBER: (410) 335-0238

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-391-A (Item 393)
11112 Bird River Grove Road
N/S Bird River Grove Road, 3650' +/- E of c/l Ebenezer Road
15th Election District - 5th Councilmanic
Legal owner(s): Robert M. Wood and Catherine Mary Wood

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 21, 1996. The closing date (May 6, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) Should your case require a public hearing, whether due to a neighbor's formal request or by Order of the Commissioner, the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by you, the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Robert and Catherine Wood

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 7, 1996

Robert and Catherine Wood
11112 Bird River Grove Road
White Marsh, MD 21162

RE: Item No.: 393
Case No.: 96-391-A
Petitioner: Robert Wood, et ux

Dear Mr. and Mrs. Wood:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a circular stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: April 26, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 for April 29, 1996
 Item No. 393

The Development Plans Review Division has reviewed the subject zoning item.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

The rear of buildings may not be constructed within 20 feet of the limits of the floodplain as established for a 100-year flood level with a 1 foot freeboard. See Plate D-19 in the Baltimore County Design Manual, adopted 1983 and revised February 1985.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the floodplain elevation in all construction.

RWB:HJO:jrb

cc: File

ZONE8C

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
April 23, 1996

FROM: Robert A. Wirth *RAW/mw*
DEPRM

SUBJECT: Zoning Item #393 - Wood Property
11112 Bird River Grove Road
Zoning Advisory Committee Meeting of April 22, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

All conditions of the administrative variance granted by DEPRM on May 19, 1995 must be strictly adhered to.

Ground Water Management

An evaluation of the septic system will be required prior to building permit approval. Soil evaluation tests may be necessary, contact Rob Powell at 887-2762.

RAW:GS:RP:sp

WOOD/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 22, 1996.

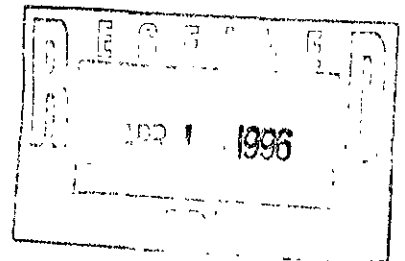
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 389, 390, 391, 392, 393, 394,
395, 397 AND 398.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 393 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

540-5581
Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
800-336-6958, Statewide Toll Free

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: April 17, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 389, 390, 391, 392, 393, and 395

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: _____

Jeffrey W. Long

Division Chief: _____

Carol L. Keller

PK/JL

MICROFILMED

MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION
REAL PROPERTY SYSTEM
BALTIMORE COUNTY

02/23/96

PRIMARY SCREEN

DISTRICT: 15 ACCT NO: 1520301670

SUBDIST:

OWNER NAME / MAILING ADDRESS

GROSS JOHN L
5930 EBENEZER RD
WHITE MARSH MD 21162

DEED REF 1) / 8187/ 481

2)
PLAT REF 1) 13/ 1

EXEMPT STATUS/CLASS
0 000

PRINCIPAL
RESIDENCE
NO

PREMISE ADDRESS

11110 BIRD RIVER GROVE RD

TOWN	GEO	ADVAL	TAX	LAND	COUNTY
CODE	CODE	CODE	CLASS	USE	USE
000	82	000		R	34

LEGAL DESCRIPTION

150 W COMMUNITY BEACH
BIRD RIVER GROVE
TRANSFERRED FROM: GROSS JOHN L

MAP	GRID	PARCEL	SUB-DIV	PLAT	SECT	BLOCK	LOT
73	20	325				B	11

05/31/89

PRESS: <F1> VALUES SCRN

<F3> SELECT NEXT PROPERTY

MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION
REAL PROPERTY SYSTEM
BALTIMORE COUNTY

02/23/96

PRIMARY SCREEN

DISTRICT: 15 ACCT NO: 1513402570

SUBDIST:

OWNER NAME / MAILING ADDRESS

THEISS LINDA
11114 BIRD RIVER GROVE
WHITE MARSH MD 21162

DEED REF 1) / 5540/ 453

2)
PLAT REF 1) 13/ 1

EXEMPT STATUS/CLASS
0 000

PRINCIPAL
RESIDENCE
YES

PREMISE ADDRESS

11114 BIRD RIVER GROVE RD

TOWN	GEO	ADVAL	TAX	LAND	COUNTY
CODE	CODE	CODE	CLASS	USE	USE
000	82	000		R	34

LEGAL DESCRIPTION

3700 NW EBENEZER RD
BIRD RIVER GROVE
TRANSFERRED FROM: THIESS JAMES A

MAP	GRID	PARCEL	SUB-DIV	PLAT	SECT	BLOCK	LOT
73	20	325				B	9

06/24/75

PRESS: <F1> VALUES SCRN

<F3> SELECT NEXT PROPERTY

MICROFILMED

ITEM# 393

Mr. and Mrs. Robert Wood
April 24, 1995
Page 2

The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. The variance is not based upon conditions or circumstances which were the result of your own actions, and this criterion has been met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. The granting of this variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat. A single family dwelling already exists in the buffer, and the addition will be to this existing structure.

Based upon our review, it is this Department's findings that the first four of the above criteria have been met, and that the fifth criterion can be met by planting 6 small native trees and 6 native shrubs in the buffer on the waterward side of the house. Therefore, the requested variance is hereby approved in accordance with Section 26-445(c) of the Baltimore County Code with the following conditions:

1. The attached "Notice of Granting of Variance" must be published in either The Avenue or The Dundalk Eagle. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. Prior to final variance approval, a revised plot plan shall be submitted to this office which shows the following information:
 - a. The Limit of Disturbance (L.O.D.) as 10 feet from the proposed structure.
 - b. Location of the twelve (12) proposed native trees and shrubs to be planted.
 - c. A note stating, "all new downspouts shall be directed from rooftop runoff across the lawn".

ENCLOSURE

ITEM# 393

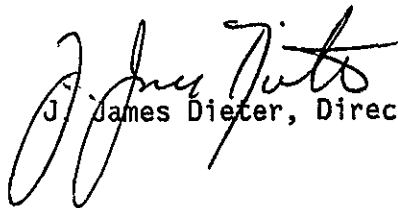
Mr. and Mrs. Robert Wood
April 24, 1995
Page 3

- d. A note stating, "No further clearing, grading, construction or other disturbance of the vegetation, except for mowing shall occur in the buffer, except as permitted by the Department of Environmental Protection and Resource Management (DEPRM)".

Please sign the statement below and then return a copy of the Certificate of Publication, the revised plot plan, and the letter to this Department C/O Ms. Patricia M. Farr of Environmental Impact Review. Failure to return a signed copy of this letter and the other two items may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Mr. Keith D. Kelley at (410) 887-3980.

Sincerely,

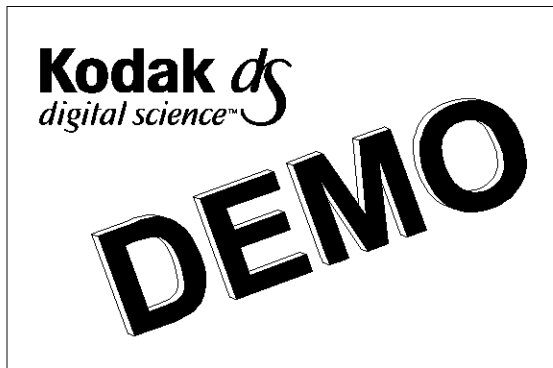

J. James Dieter, Director

KK
JJD/KDK/tmm

Enclosure

c: Ms. Lisa A. Hoerger,
Ms. Patricia M. Farr

I/WE HAVE READ AND AGREE
PROPERTY INTO COMPLIANCE



TO BRING MY/OUR
GULATIONS.

Signature _____ Date _____

Signature _____ Date _____

MICROFILMED.

ITEM # 393

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT
NOTICE OF GRANTING OF VARIANCE

ADDRESS: 11112 Bird River Grove Road

LEGAL OWNER: Robert Wood

The Baltimore County Department of Environmental Protection and Resource Management, pursuant to Section 26-445(c) of the Baltimore County Code, hereby gives notice that a variance from Section 26-449 of the Code, Chesapeake Bay Critical Area Requirements, will be granted for the purpose of constructing a 2-story addition in the 100 foot buffer to Bird River on the above referenced property. Any person or persons, jointly or severally, or any taxpayer aggrieved or feeling aggrieved by this decision, may appeal to the Baltimore County Board of Appeals within forty-five (45) days from the date of this notice. Appeals must be made in writing, stating the reason for appeal, and must be mailed to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204. All appeals must be accompanied by a check for \$75.00 payable to Baltimore County Government.

BRGROVE2/DEPRM/WQBCA

MICROFILMED

ITEM #393



Baltimore County
Department of Environmental Protection
and Resource Management

Bureau of Engineering Services
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
(410) 887-3768
Fax: (410) 887-4804

September 27, 1995

Mr. and Mrs. Robert Wood
11112 Bird River Grove Road
Baltimore, Maryland 21162

Re: 11112 Bird River Grove Road
Critical Area Administrative Variance

Dear Mr. and Mrs. Wood:

This Department received the copy of the Certificate of Publication submitted to us by you which indicates that the "Notice of Granting of Variance" advertisement was published in the Avenue newspaper on May 4, 1995; and/or otherwise verified the publication of this advertisement. Additionally, we have received the signed copy of the variance approval letter and your revised plot plan showing all of the items listed in our variance approval letter.

In accordance with Section 26-445(c) of the Baltimore County Code, your variance to the Chesapeake Bay Critical Area regulations for the purpose of constructing a 2-story addition in the 100 foot buffer to Bird River on the above referenced property became final on May 19, 1995, or fifteen (15) calendar days after the date the above advertisement was published.

If you have any questions, please contact Mr. Keith Kelley at (410) 887-3980.

Very truly yours,

Patricia M. Farr, Program Supervisor
Environmental Impact Review

Kx
PMF/KDK/tmm

c: Jack M. Berger
Lisa A. Hoerger

BIRDRIV/DEPRM/WQCBCA

MICROFILM

ITEM 393



CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWSPAPER GROUP

442 Eastern Blvd
Baltimore, MD 21221

May 4, 1995.

THIS IS TO CERTIFY, that the annexed advertisement of

Baltimore County Department and Environmental Protection
and Resource Management in the matter of Notice of
Granting Variance. Owner: Robert Woods, 11112 Bird River
Grove Rd., Balto. Md 21162.

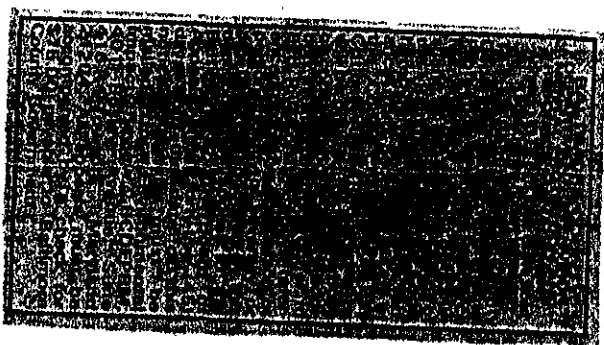
42 lines @ \$1.11 or \$46.62

was inserted in THE AVENUE NEWS a weekly newspaper published
in Baltimore County, Maryland once a week for 1 consecutive
week(s) before the 5th day of May 1995; that is to say

the same was inserted in the issues of May 4, 1995.

The Avenue, Inc.

Penwith C Caldwell
Publisher



NOTICE

ITEM 343

Baltimore County Critical Area Review

Application #

owner: Robert & Catherine Wood

Address: 11112 Bird River Grove Rd.

Whitemarsh, Md. 21162

phone: H (410) 335-0238

Pager (410) 351-5403 Rob Wood

(1) SETBACK REQUIREMENT = SIDESETBACK 35' from side
BOUNDARY

(2) FRONT YARD SETBACK = 75' FROM CENTERLINE OF ROAD

TOTAL LOT AREA

$$\text{LOT AREA} = 196.5' \times 50' = 9825 \text{ sq. ft.}$$

$$\text{LOT AREA} = 212.00' \times 50' = 10,600 \text{ sq. ft.}$$

Impervious Surface Areas:

$$\text{House } 32.5' \times 20.4' = (663 \text{ sq. ft.})$$

$$\text{proposed Addition } 30' \times 25' = (750 \text{ sq. ft.})$$

$$\text{SHEDS } 8' \times 8' = (64 \text{ sq. ft.})$$

POOLS _____

DRIVEWAYS _____

$$\text{SIDEWALKS } \text{MAJORITY OF SIDEWALK TO BE ELIMINATED } (556.25 \text{ ft}^2) + 48 \text{ ft}^2 = (604 \text{ ft}^2)$$

$$\text{GARAGE } 30' \times 22' = (660 \text{ sq. ft.})$$

$$\text{Total Impervious Surface} = 2741.25 \text{ sq. ft.}$$

$$\text{TOTAL LOT SIZE (Lower Dimension)} = 196.5' \times 50' = 9825 \text{ sq. ft.}$$

$$\text{TOTAL LOT SIZE (HIGHER CALCULATION)} = 212.00' \times 50' = 10,600 \text{ sq. ft.}$$

$$\% \text{ impervious} = \frac{2741.25 \text{ sq. ft.}}{9825 \text{ sq. ft.}} \times 100 = 27.90$$

$$\% \text{ impervious After removal of some SIDEWALK AREA}$$

$$\left(\begin{array}{l} \text{Remove} \\ \text{SIDEWALK} \\ \text{AREA} \end{array} \right) 131.25 \text{ ft}^2 + 37.5 \text{ ft}^2 + 181.25 \text{ ft}^2 = 350 \text{ sq. ft.}$$

SIDEWALK TO BE REMOVED

$$\frac{2741.25 \text{ ft}^2 - (350 \text{ ft}^2)}{9825 \text{ ft}^2} \times 100 = 24.34\%$$

% IMPERVIOUS SURFACE

MICROFILMED

ITEM #393

ADMINISTRATIVE VARIANCE APPLICATION - CHESAPEAKE BAY CRITICAL AREA REGULATIONS

Part A. Applicant/Property Owner Information.

Applicant(s) Robert & Catherine Wood Phone No. (410) 335-0238
 Mailing Address 11112 BIRD RIVER GROVE Rd. Whitmarsh, Md. 21162

City Baltimore State Md Zip Code 21162

Property Owner(s) Robert & Catherine Wood Phone No. (410) 335-0238

Mailing Address 11112 Bird River Grove Rd. ~~Whitmarsh~~

City Whitmarsh State Md Zip Code 21162

Part B. Property and Critical Area Information.

(Note: Leave Blank. This block will be filled in by DEPRM personnel)

Permit No. _____ to construct _____

Property Address/Location _____

Subdivision _____ Acreage/Lot Size _____

Tax Map No. _____ Block No. _____ Parcel/Lot No. _____

Critical Area Designation(s): _____ IDA _____ LDA _____ RCA

Existing Impervious Surfaces _____ square ft. _____ percent of property

Proposed Impervious Surfaces _____ square ft. _____ percent of property

Waterfront? yes _____ no _____ Waterbody _____

Is the proposed activity within the 100 foot buffer? yes _____ no _____

Is the proposed activity within the limits of Habitat Protection Areas, tidal wetlands, or nontidal wetlands/associated buffers? yes _____ no _____

If so, list type(s) _____

Is the proposed activity within forest or developed woodland? yes _____ no _____

Variance Type(s): _____ impervious surface limit variance _____ other variance

Section(s) of Code from which variance is being requested _____

Reviewer _____ Date _____

RECEIVED

1TEU # 393

Part C. Project Description.

Briefly describe the proposed project or activity for which a variance is requested.

A VARIANCE is requested to build a 2 story addition onto a smaller existing structure, WITHIN The 100' Buffer area to the water. Due to increasing family size. more space is necessary to accomodate. Addition would be constructed water ward. A VARIANCE is Requested for side set backs if needed also.

Part D. Alternates to Variance Request.

Briefly describe any alternates to requesting a variance which you considered, and why these alternates are not feasible.

I have considered two alternates for construction of an addition both have proven to be more costly and involved.

ALT (1) I have considered building on top of existing structure however this is not feasible due to the shallow design of existing structure foundation which is not likely to withstand the compression of an upper structure. This method would also create a major disturbance in our living environment due to the heavy disruption of existing structures integrity. This method is a problem with the framework of existing structure also being to weak to handle the compression & load of an upper structure.

ALT (2) I have also considered going roadward with an add on to existing structure however this method is not feasible due to the access restriction that it puts on the waterfront area of lot, limited front lot utilization makes side yard & front lot utilization useless. Roadward construction would interfere with neighbors overhead power lines. Roadward construction would also interfere with existing dwelling power feed line & underground feeder to accessory bldg. contd. →

Part E. Variance Provisions of the Critical Area Criteria (COMAR 27.01.11).

Briefly explain any special conditions or circumstances exist that are peculiar to the land or structure and how a literal enforcement of the provisions of the regulations relative to these conditions or circumstances would result in unwarranted hardship.

As I have mentioned in part D above my money is tight for the construction of an addition. I desperately need more space due to expanded family size. Some of the additional requirements for waterfront construction are going to use up money that could be spent on the structure. Not to say that the measures required aren't helpful to the environment, the problem is that they use up my limited amount of money to construct with. And as I said previously the hardship is financial and familial by placing a burden of very restricted living space on the members of my family and myself.

MICROFILMED

ITEM #393

Part D. Alternates to variance request.

ALT(2) cont'd. Roadward construction would also interfere with underground water service to existing dwelling. Roadward construction would also interfere with existing dwellings electric meter. Roadward construction also interferes with existing brick layed sidewalk and flagpole. All of these afore mentioned items add up to one thing, additional monetary costs to enlarge my household. This money could be well spent in the structure and in mitigative measures.

MICROFILMED

Item # 393

Part E. Continued.

Briefly explain how a literal interpretation of the Critical Area regulations will deprive you (the property owner) of rights commonly enjoyed by other properties in similar areas within the Critical Area. I have lived on the waterfront all of my life and I know from experience of properties that have houses right on the water's edge and decks placed there also. These properties enjoy the closeness of the water and the scenic beauty that the waterfront provides. Nice views nice sunsets etc. I might add that 4 people living in 663 sq. ft. of living space is not adequate and cramped to say the least. As far as other properties in the area and on my street most have been added onto giving each residence more square footage of living space.

Briefly explain how granting of the variance will not confer upon you (the property owner) any special privilege that would be denied by the Critical Area regulations to other lands or structures within the Critical Area.

As a property owner I would not be gaining any advantage over my neighbors that they don't already have. Many of the houses along Bird River are built right up to the water's edge my project would still be a fair distance from the water and have required and mitigated measures taken that the other properties that are closer do not have. I would do everything possible to make my project an environmentally safe one.

Briefly explain how the variance request is not based upon conditions or circumstances which are the result of actions by you (the property owner), and how the request does not arise from any condition related to land or building use, either permitted or non-conforming, on any neighboring property.

The request for a variance is not based upon conditions or actions created by me other than the need for a larger house due to a larger family. My Request does not arise from anything that already exists on any neighboring property. My request is based solely on need and practicality of construction location or lot.

MICROFILMED

ITEM # 393

Part E. Continued.

Briefly describe how granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and how granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. Include any proposed mitigative measures to minimize impacts to these resources. I have lived on the waterfront all of my life, and in my opinion there is more sediment being carried into rivers from streams that have unstable soil than the surface runoff of multiple waterfront lots that usually have many shrubs plants and trees and grass on the surface of the soil to prevent runoff. In regards to my case the river just up the road from "Swells" enormously during storms and carries massive amounts of sediment into Bird River gradually filling it in through the years. If something is not done with this particular stream there won't be an upper end to Bird River in the future. The proposed construction that I would like to do would have an insignificant impact on Bird River. I would be willing to install the necessary dry well for roof runoff. Plant shrubs trees etc. to help reduce any ground surface runoff. Add stone in various areas to promote infiltration of surface water and trapping of sediment. Remove some impervious surfaces if needed.

Part F. Additional Information.

Use this space to provide any other information about the site or project pertinent to this variance request. Attach additional sheets if necessary.

- 350 sq ft. of sidewalk to be removed - mitigative measure if required
- Shrubs to be planted on one side of Existing structure - mitigative measure if required
- Shrubs to be planted on both sides of FRONT of proposed structure - mitigative measure
- GROUND cover to be planted as a -mitigative measure
- NATIVE species shrubs & trees can be planted as mitigative measures as needed
- DRYWELLS TO BE INSTALLED if necessary to divert runoff.

Applicant Signature

Date

Robert M. Wood
Applicant Signature

Date

Property Owner Signature

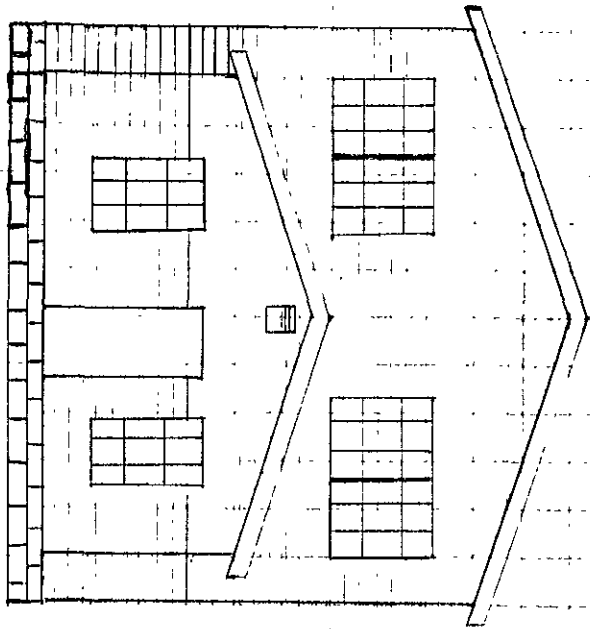
Date

Robert M. Wood
Property Owner Signature

Date

MICROFILMED

ITEM # 393



Block - 1/4 - 2' ROBERT WOOD 11112 BIRD DRIVER
GRUDGE RD

MICROFILMED

Kodak *ds*
digital science™

DEMO

ITEM # 393

ROBERT WOOD 11112 PRIMAVER GROVE R

1 Block = $\frac{1}{4}$ " = 2'

MICROFILMED

ITEM # 393

ITEM # 393



SE - ELEV

ITEM # 393



WATER FRONT

FRONT ELEV.

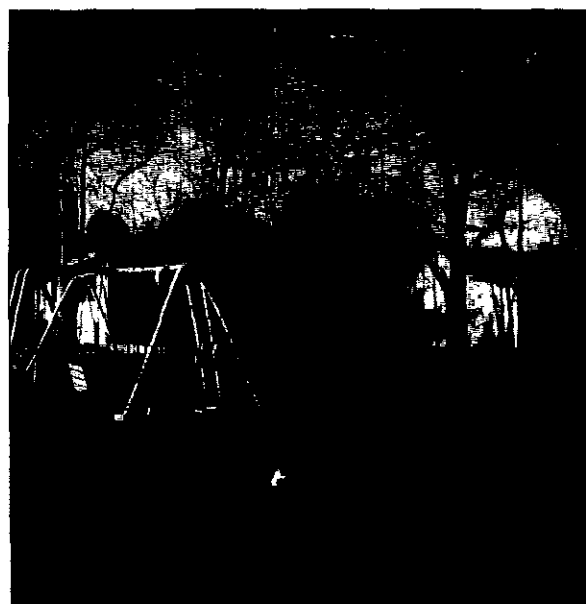
ITEM 393



ROAD ELEV.

ITEM 393

REAR



Water front

ITEM # 393

Front ELEV.



SW ELEV.

ITEM 393

UNRECORDED

ROBERT WOOD 111112 RIVER GROVE R

1 Block = $\frac{1}{4}$ " = 2'

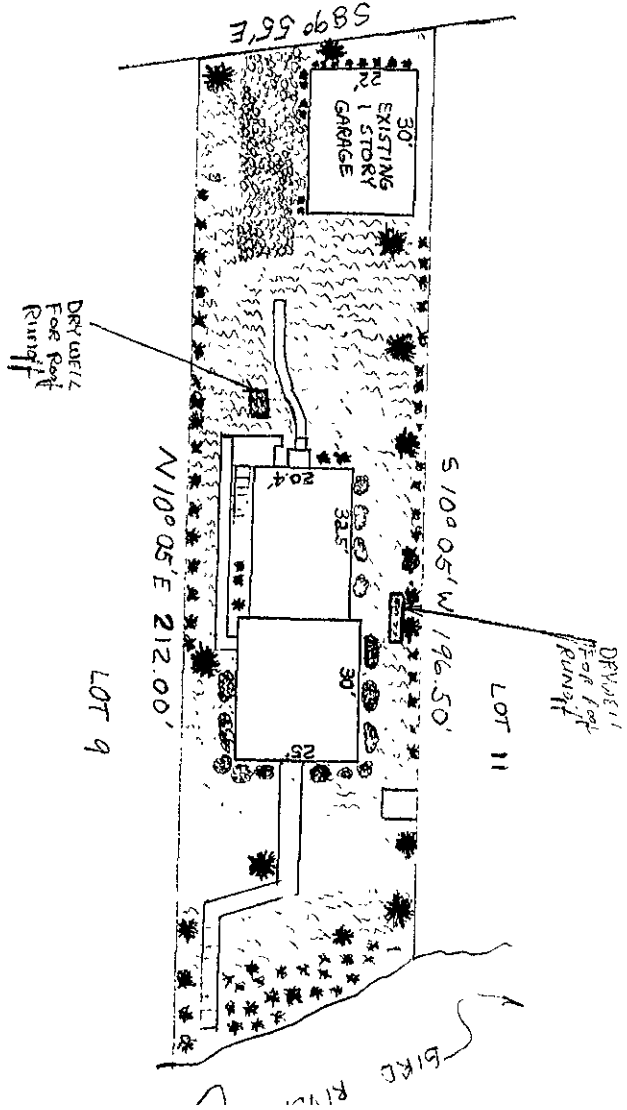
MICROFILMED

ITEM # 393

MICROFILMED

ITEM # 393

BIRD RIVER GROVE ROAD



Kodak *ds*
digital science™

DEMO

ITEM # 393

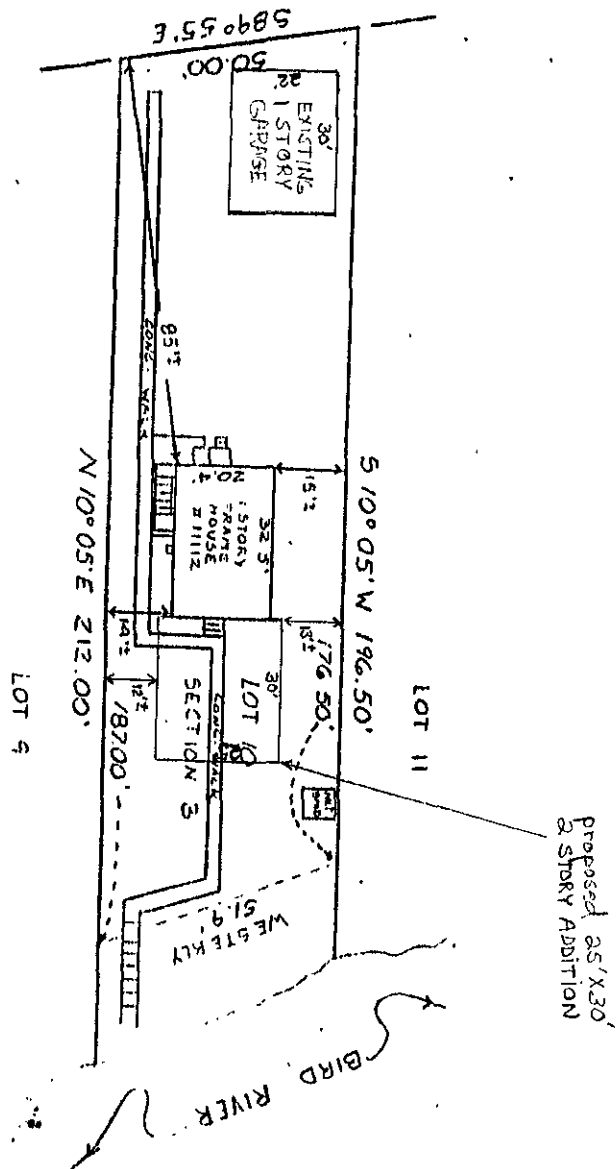
(KEY)

- STONE W/LE (EXISTING)
- GRASS / EXISTING
- SMALL TREE OR SHRUBS (EXISTING)
- LARGE TREE (EXISTING)
- PROPOSED DRY WEL FOR ROOF RUNOFF
- PROPOSED Shrubs

APPLICATION #
ROBERT & CATHERINE WOOD
1112 BIRD RIVER GROVE RD
WHITEMARSH, MD 21162

Scale 1"=40'

BIRD RIVER GROVE ROAD



MICROFILMED

ITEM # 393

Subject property is shown in Zone 110-B
on the National Flood Insurance Program
Flood Insurance Rate Map of BALTIMORE
COUNTY, Maryland. Panel # 295
Community Panel # 240010 0245 B
Effective Date: MARCH 2, 1981

This is to certify that I have surveyed the property known as LOT 10, IN SECTION B, AS SHOWN ON THE AMENDED PLAT OF SECTION B BIRD RIVER GROVE sheet -- of -- recorded IN PLAT BOOK 13, folio 1 among the Land Records of BALTIMORE COUNTY, Maryland for the purpose of locating the improvements thereon.

THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS ARE CONTAINED WITHIN THE OUTLINES OF THE LOT AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES.



J. Carl Hudgins PLS#96

LOCATION SURVEY

11112 Bird River Grove Road
Bird River Grove

Baltimore County, Maryland

NTT ASSOCIATES, INC.

16205 Old Frederick Road
Mt. Airy, Maryland 21771

Phone 442-2031

Scale 1 = 40

Date 8-26-88

Field By J.D.C.

Drawn By J.D.C

Drawing # 047764

$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$

Baltimore County Government
Department of Environmental Protection
and Resource Management



401 Bosley Avenue
Towson, MD 21204

(410) 887-3733

April 24, 1995

Mr. and Mrs. Robert Wood
11112 Bird River Grove Road
Baltimore, Maryland 21162

Re: 11112 Bird River Grove Road
Critical Area Administrative Variance

Dear Mr. and Mrs. Wood:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a 2-story addition in the 100 foot buffer to Bird River. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. Due to the small lot size, the majority of the lot is in the 100 foot buffer. A literal enforcement of the regulations would prevent the addition, thus resulting in an unwarranted hardship.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. This variance allows expansion for a growing family. Preventing the applicant from adding an addition would deprive the applicant of a right which would be enjoyed by other property owners with homes in the buffer. Therefore, this criterion has been met.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. No special privileges will be granted to the applicant by granting of this variance. Therefore, this criterion has been met.

MICROFILMED

1421 # 393

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
N/S Bird River Grove Road, 3650' +/- E of c/l Ebenezer Road
11112 Bird River Grove Road
15th Election District
5th Councilmanic District
Robert M. Wood, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-391-A
* Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Robert M. Wood and Catherine Mary Wood, his wife, for that property known as 11112 Bird River Grove Road in the Bird River Grove subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit side yard setbacks of 10 ft and 11 ft. in lieu of the required 35 ft. for an attached two story addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Area and is subject to compliance with the recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), dated April 23, 1996, pursuant to Section 500.14 of the Baltimore County Zoning Regulations (BCZR). The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of May, 1996 that the Petition for a Zoning Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit side yard setbacks of 10 ft and 11 ft., in lieu of the required 35 ft., for an attached two story addition, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall strictly comply with all requirements, policies and conditions imposed by the Development Plans Review Division as set forth in their Zoning Plans Advisory Committee comment, dated April 26, 1996, and the requirements of DEPRM as set forth in their Zoning Plans Advisory Committee comment dated April 23, 1996 (attached hereto). Building permits shall be issued only upon the Petitioners' compliance with these standards.

-2-

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 5/13/96
By LES:mmn

-3-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 13, 1996

Mr. and Mrs. Robert M. Wood
11112 Bird River Grove Road
White Marsh, Maryland 21162

RE: Petition for Administrative Variance
Case No. 96-391-A
Property: 11112 Bird River Grove Road

Dear Mr. and Mrs. Wood:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11112 Bird River Grove Rd.
which is presently zoned RC2
96-391-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A01.3.B.3 (BCZR)
To permit a side yard setbacks of 10 feet and 11 feet in lieu of the required 35 feet for the attached 2-story addition.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) To allow new addition to existing structure to extend
* out on each side into side setback requirement. This will allow an increase of square footage and provide aesthetic and proportional appeal to entire overall structure. * or more on each side would also be preferable.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(Use to solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Correct Purchaser/Lessee
Type or Print Name
Signature
Address
City State Zipcode
Attorney for Petitioner
Type or Print Name
Signature
Address
City State Zipcode
Name Address and phone number of representative to be contacted
Name Address Phone No.

Legal Owner(s)
Type or Print Name
Signature
Address
City State Zipcode
Name Address and phone number of representative to be contacted
Name Address Phone No.

A Public Hearing having been requested and/or held to be required, this is ordered by the Zoning Commissioner of Baltimore County, this 13th day of May, 1996, that the subject matter of this petition be set for a public hearing, converted, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

REVIEWED BY: R.T. DATE: 4-9-96
ESTIMATED FILING DATE: 5-13-96
Printed with Recycled Ink on Recycled Paper
ITEM #: 393

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) presently reside at 11112 Bird River Grove Rd.
Whitemarsh, Md. 21162

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate variance or practical difficulty)
Not enough square footage
Need variance to allow for house to have a better aesthetic appeal and to give building proportionality
2' to 4' on each side of building would help. Without the variance, the structure will be very straight lined & Boring.

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Robert M. Wood
Robert M. Wood
Catherine Mary Wood
Catherine Mary Wood

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of May, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert M. Wood & Catherine Mary Wood

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and took oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notary Seal.

4-5-96

My Commission Expires: Oct 1, 1996

EXAMPLE 3 - Zoning Description

96-391-A

3 COPIES

These copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 11112 BIRD RIVER GROVE RD.
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)
BIRD RIVER GROVE RD. which is 304.6'
(number of feet of right-of-way width)

wide at the distance of 3650'
(number of feet) EAST of the
(north, south, east or west)

centerline of the nearest improved intersecting street Ebenezer Rd.
(name of street)

which is 30.6' wide. "Being Lot # 10"
(number of feet of right-of-way width)

Block B in the subdivision of BIRD RIVER GROVE
(name of subdivision)

as recorded in Baltimore County Plat Book # CHK #13 Folio # 1

containing 0.33 Acres Also known as 11112 BIRD RIVER GROVE RD.
(square feet or acres) (property address)

and located in the 15th Election District, 5th Councilmanic District.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft. S.18° 03' E. 87.2 ft. S.62° 13' 00" W. 318 ft. and N.08° 15' 22" W. 80 ft. to the place of beginning.

ITEM #393

9

Zoning Description 96-391-A

Zoning Description for 11112 Bird River Grove Road

Being known and designated as Lot # 10,
Block , section # B in the Subdivision of
Bird River Grove as recorded in Baltimore County
Plat Book # CHK #13, Folio # 1

Containing .33 acres. Also known as 11112
Bird River Grove Road and located in the
15th Election District, 5th Councilmanic District.

ITEM #393

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-391-A

District: 154 Date of Posting: 4/24/96
Posted for: Adam Variance, Cloning 5-6-96
Petitioner: Robert M. Wood, et ux
Location of property: 11112 Bird River Grove Rd.
Location of Signs: Along middle of property on road
Remarks:
Posted by: [Signature] Date of return: 4/24/96
Number of Signs: 4

BALTIMORE COUNTY, MARYLAND
OFFICE OF REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4-27-96 ACCOUNT: 96-001-6150
14 - 1400 - 4.50
15 - 3000 - 8.50 AMOUNT: \$ 13.00
RECEIVED FROM: Robert Wood
96-391-A
FOR: Adam Variance, Cloning
VALIDATION OR SIGNATURE OF CASHIER
DATE: 4-27-96



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

96-391-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

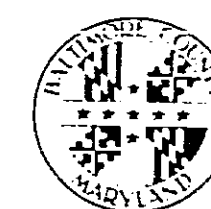
- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 393 Petitioner: Robert Wood
Location: 11112 Bird River Grove Rd. White Marsh, MD 21162
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert Wood
ADDRESS: 11112 Bird River Grove Rd.
White Marsh, MD 21162
PHONE NUMBER: (410) 335-0038



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-391-A (Item 393)
11112 Bird River Grove Road
N/S Bird River Grove Road, 3450' +/- E of c/o Chesapeake Road
19th Election District - Via Councilmatic
Legal owner(s): Robert M. Wood and Catherine Mary Wood

Please be advised that your Petition for Administrative Delay Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a rebuttal regarding the administrative process.

- 1) Your property will be posted on or before April 21, 1996. The closing date (May 6, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) Should your case require a public hearing, whether due to a neighbor's formal request or by Order of the Commissioner, the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by you, the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

[Signature]

Arnold Jablon
Director

cc: Robert and Catherine Wood



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 7, 1996

Robert and Catherine Wood
11112 Bird River Grove Road
White Marsh, MD 21162

RE: Item No.: 393
Case No.: 96-391-A
Petitioner: Robert Wood, et ux

Dear Mr. and Mrs. Wood:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: April 26, 1996
Department of Permits & Development Management
FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development Management
SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item No. 393

The Development Plans Review Division has reviewed the subject zoning item.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

The rear of buildings may not be constructed within 20 feet of the limits of the floodplain as established for a 100-year Flood level with a 1 foot freeboard. See Plate D-19 in the Baltimore County Design Manual, adopted 1983 and revised February 1985.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the floodplain elevation in all construction.

RWB:HJO:jrb

cc: File

ZORHSC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director Date: April 23, 1996
Zoning Administration and Development Management
FROM: Robert A. Wirth
DEPRM
SUBJECT: Zoning Item #393 - Wood Property
11112 Bird River Grove Road
Zoning Advisory Committee Meeting of April 22, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

All conditions of the administrative variance granted by DEPRM on May 19, 1995 must be strictly adhered to.

Ground Water Management

An evaluation of the septic system will be required prior to building permit approval. Soil evaluation tests may be necessary, contact Rob Powell at 887-2762.

RAW:GS:RP:sp

WOOD/DEPRM/TXTSBB

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04-18-96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 22, 1996.

Item No.: SEE BELOW Zoning Agenda:

Settlement:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the contents below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 391, 391.1, 391.2, 391.3, 391.4, 391.5, 391.6, 391.7, 391.8, 391.9, 391.10, 391.11, 391.12, 391.13, 391.14, 391.15, 391.16, 391.17, 391.18, 391.19, 391.20, 391.21, 391.22, 391.23, 391.24, 391.25, 391.26, 391.27, 391.28, 391.29, 391.30, 391.31, 391.32, 391.33, 391.34, 391.35, 391.36, 391.37, 391.38, 391.39, 391.40, 391.41, 391.42, 391.43, 391.44, 391.45, 391.46, 391.47, 391.48, 391.49, 391.50, 391.51, 391.52, 391.53, 391.54, 391.55, 391.56, 391.57, 391.58, 391.59, 391.60, 391.61, 391.62, 391.63, 391.64, 391.65, 391.66, 391.67, 391.68, 391.69, 391.70, 391.71, 391.72, 391.73, 391.74, 391.75, 391.76, 391.77, 391.78, 391.79, 391.80, 391.81, 391.82, 391.83, 391.84, 391.85, 391.86, 391.87, 391.88, 391.89, 391.90, 391.91, 391.92, 391.93, 391.94, 391.95, 391.96, 391.97, 391.98, 391.99, 391.100.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 96-391-A

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

[Signature]
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-435-7525, Maryland Toll Free

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 17, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 389, 390, 391, 392, 393, and 395

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Keller*

PK/JL

ITEM389/PZONE/ZAC1

MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION
REAL PROPERTY SYSTEM
BALTIMORE COUNTY

02/23/96

PRIMARY SCREEN
DISTRICT: 15 ACCT NO: 1520301670 SUBDIST:

OWNER NAME / MAILING ADDRESS
GROSS JOHN L
5930 EBENEZER RD
WHITE MARSH MD 21162

DEED REF 1) / 8187/ 481
PLAT REF 1) 13/ 1
EXEMPT STATUS/CLASS
0 000
PRINCIPAL RESIDENCE
NO

PREMISE ADDRESS
11110 BIRD RIVER GROVE RD
TOWN GEO ADVAL TAX LAND COUNTY
CODE CODE CODE CLASS USE USE
000 82 000 R 34

LEGAL DESCRIPTION
150 W COMMUNITY BEACH
BIRD RIVER GROVE
TRANSFERRED FROM: GROSS JOHN L
MAP GRID PARCEL SUB-DIV PLAT SECT BLOCK LOT
73 20 325 8 11

05/31/89

PRESS: <F1> VALUES SCRIN <F3> SELECT NEXT PROPERTY

MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION
REAL PROPERTY SYSTEM
BALTIMORE COUNTY

02/23/96

PRIMARY SCREEN
DISTRICT: 15 ACCT NO: 1513402570 SUBDIST:

OWNER NAME / MAILING ADDRESS
THEISS LINDA
11114 BIRD RIVER GROVE
WHITE MARSH MD 21162

DEED REF 1) / 5540/ 453
PLAT REF 1) 13/ 1
EXEMPT STATUS/CLASS
0 000
PRINCIPAL RESIDENCE
YES

PREMISE ADDRESS
11114 BIRD RIVER GROVE RD
TOWN GEO ADVAL TAX LAND COUNTY
CODE CODE CODE CLASS USE USE
000 82 000 R 34

LEGAL DESCRIPTION
3700 NW EBENEZER RD
BIRD RIVER GROVE
TRANSFERRED FROM: THEISS JAMES A
MAP GRID PARCEL SUB-DIV PLAT SECT BLOCK LOT
73 20 325 8 11

06/24/75

PRESS: <F1> VALUES SCRIN <F3> SELECT NEXT PROPERTY

ITEM # 393

Baltimore County Government
Department of Environmental Protection
and Resource Management

401 Bosley Avenue
Towson, MD 21204

April 24, 1995

(410) 887-3733

Mr. and Mrs. Robert Wood
11112 Bird River Grove Road
Baltimore, Maryland 21162

Re: 11112 Bird River Grove Road
Critical Area Administrative Variance

Dear Mr. and Mrs. Wood:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a 2-story addition in the 100 foot buffer to Bird River. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. Due to the small lot size, the majority of the lot is in the 100 foot buffer. A literal enforcement of the regulations would prevent the addition, thus resulting in an unwarranted hardship.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. This variance allows expansion for a growing family. Preventing the applicant from adding an addition would deprive the applicant of a right which would be enjoyed by other property owners with homes in the buffer. Therefore, this criterion has been met.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. No special privileges will be granted to the applicant by granting of this variance. Therefore, this criterion has been met.

ITEM # 393

Mr. and Mrs. Robert Wood
April 24, 1995
Page 2

The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. The variance is not based upon conditions or circumstances which were the result of your own actions, and this criterion has been met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. The granting of this variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat. A single family dwelling already exists in the buffer, and the addition will be to this existing structure.

Based upon our review, it is this Department's findings that the first four of the above criteria have been met, and that the fifth criterion can be met by planting 6 small native trees and 6 native shrubs in the buffer on the waterward side of the house. Therefore, the requested variance is hereby approved in accordance with Section 26-445(c) of the Baltimore County Code with the following conditions:

1. The attached "Notice of Granting of Variance" must be published in either The Avenue or The Dundalk Eagle. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. Prior to final variance approval, a revised plot plan shall be submitted to this office which shows the following information:
 - a. The Limit of Disturbance (L.O.D.) as 10 feet from the proposed structure.
 - b. Location of the twelve (12) proposed native trees and shrubs to be planted.
 - c. A note stating, "all new downspouts shall be directed from rooftop runoff across the lawn".

ITEM # 393

Mr. and Mrs. Robert Wood
April 24, 1995
Page 3

- d. A note stating, "No further clearing, grading, construction or other disturbance of the vegetation, except for mowing shall occur in the buffer, except as permitted by the Department of Environmental Protection and Resource Management (DEPRM)".

Please sign the statement below and then return a copy of the Certificate of Publication, the revised plot plan, and the letter to this Department C/O Ms. Patricia M. Farr of Environmental Impact Review. Failure to return a signed copy of this letter and the other two items may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Mr. Keith D. Kelley at (410) 887-3980.

Sincerely,

James Dwyer
James Dwyer, Director

JJD/KDK/tmm

Enclosure

c: Ms. Lisa A. Hoerger, CBCA Commission
Ms. Patricia M. Farr

I/WE HAVE READ AND AGREE TO IMPLEMENT THE ABOVE REQUIREMENTS TO BRING MY/OUR PROPERTY INTO COMPLIANCE WITH CHESAPEAKE BAY CRITICAL AREA REGULATIONS.

Signature _____ Date _____ Signature _____ Date _____

ITEM # 393

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT
NOTICE OF GRANTING OF VARIANCE

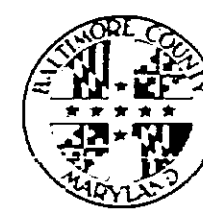
ADDRESS: 11112 Bird River Grove Road

LEGAL OWNER: Robert Wood

The Baltimore County Department of Environmental Protection and Resource Management, pursuant to Section 26-445(c) of the Baltimore County Code, hereby gives notice that a variance from Section 26-449 of the Code, Chesapeake Bay Critical Area Requirements, will be granted for the purpose of constructing a 2-story addition in the 100 foot buffer to Bird River on the above referenced property. Any person or persons, jointly or severally, or any taxpayer aggrieved or feeling aggrieved by this decision, may appeal to the Baltimore County Board of Appeals within forty-five (45) days from the date of this notice. Appeals must be made in writing, stating the reason for appeal, and must be mailed to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204. All appeals must be accompanied by a check for \$75.00 payable to Baltimore County Government.

BRGROVEZ/DEPRM/MQCBCA

ITEM # 393



Baltimore County
Department of Environmental Protection
and Resource Management

Bureau of Engineering Services
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
(410) 887-3768
Fax: (410) 887-4804

September 27, 1995

Mr. and Mrs. Robert Wood
11112 Bird River Grove Road
Baltimore, Maryland 21162

Re: 11112 Bird River Grove Road
Critical Area Administrative Variance

Dear Mr. and Mrs. Wood:

This Department received the copy of the Certificate of Publication submitted to us by you which indicates that the "Notice of Granting of Variance" advertisement was published in the Avenue newspaper on May 4, 1995; and/or otherwise verified the publication of this advertisement. Additionally, we have received the signed copy of the variance approval letter and your revised plot plan showing all of the items listed in our variance approval letter.

In accordance with Section 26-445(c) of the Baltimore County Code, your variance to the Chesapeake Bay Critical Area regulations for the purpose of constructing a 2-story addition in the 100 foot buffer to Bird River on the above referenced property became final on May 19, 1995, or fifteen (15) calendar days after the date the above advertisement was published.

If you have any questions, please contact Mr. Keith Kelley at (410) 887-3980.

Very truly yours,

Patricia M. Farr
Patricia M. Farr, Program Supervisor
Environmental Impact Review

JJD/KDK/tmm

c: Jack M. Berger
Lisa A. Hoerger

BIRDRIV/DEPRM/MQCBCA

ITEM 393

CERTIFICATE OF PUBLICATION

Office of

THE AVENUE
NEWSPAPER GROUP

442 Eastern Blvd
Baltimore, MD 21221

May 4, 1995

AS IS TO CERTIFY, that the annexed advertisement of

Baltimore County Department and Environmental Protection and Resource Management in the matter of Notice of Granting Variance, Owner: Robert Woods, 11112 Bird River Grove Rd., Balto., Md 21162.

42 lines @ \$1.11 or \$46.62

was inserted in THE AVENUE NEWS a weekly newspaper published in Baltimore County, Maryland once a week for 1 consecutive week(s) before the 5th day of May 1995; that is to say same was inserted in the issues of May 4, 1995.

The Avenue, Inc.

Kenneth Caldwell
Publisher

ITEM 393

1784 393

Item #393

ITEM # 393

Part D. Alternatives to Variance Request.

Briefly describe any alternatives to requesting a variance which you considered, and why those alternatives are not feasible.

I have considered two alternatives for construction of an addition both however proven to be more costly and involved.

AUT (1) I have considered building on top of existing structure however this is not feasible due to the shallow design of existing structure foundation which is not likely to withstand the compressive of an upper structure The method would also create a major disturbance in our living environment due to the heavy disruption of existing structures integrity. This method is a problem with that same issue if existing structure also being too weak to handle the compression load of an upper structure.

AUT (2) I have also considered going round with an add-on to existing structure however this might as well be done to the house recognizing that even though the water grant has been withdrawn it still utilization made this year's spring till situation where reduced maintenance costs incurred while waiting a underlined period to occurring debt cost. →

Part B - Variance Provisions of the Critical Area Criteria (COMAR 27.01.13).

Briefly explain any special conditions or circumstances exist that are peculiar to the land or structure and how a literal enforcement of the provisions of the regulations relative to these conditions or circumstances would result in unwarranted hardship.

As I have mentioned in part D above my money is tight for the construction of an additional I desperately need more space due to expanded family size. Some of the additional requirements for waterfront construction are going to use up money that could be spent on the structure. Not to say that the resources required aren't helpful to the environment, the problem is that they use up my limited amount of money to construct with. And as I said previously the hardship is financial and familial by placing a burden of very restricted live spaces on the members of my family and myself.

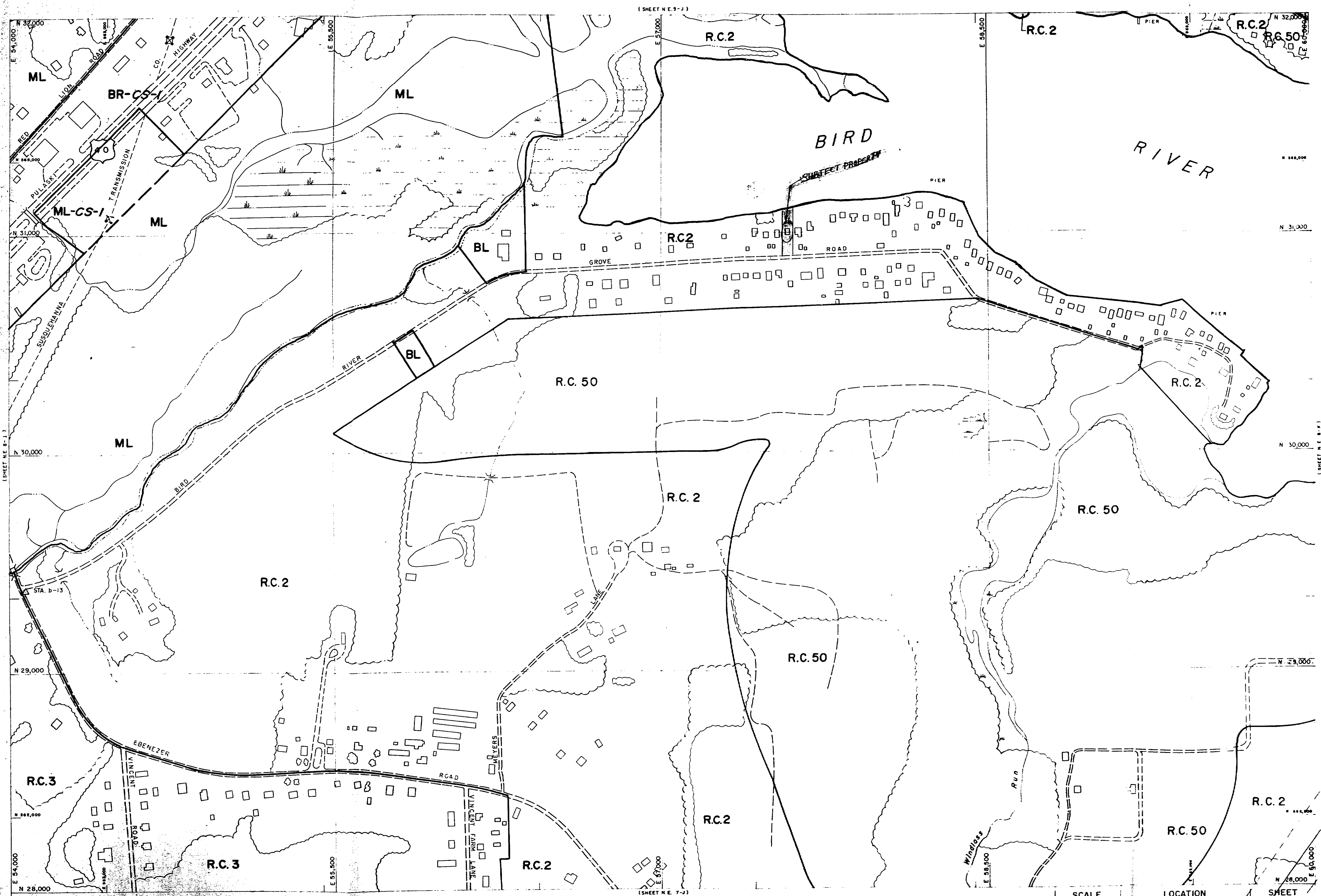
ITEM #393

17m #397

ITEM # 393

1 Block = 1/4" = 2' ROBERT WOOD 11112 BLVD DRIVER

1752 # 393



M-SE MM-SW
M-NE MM-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21201

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
EM Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
EM Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard IV
Chairman, County Council

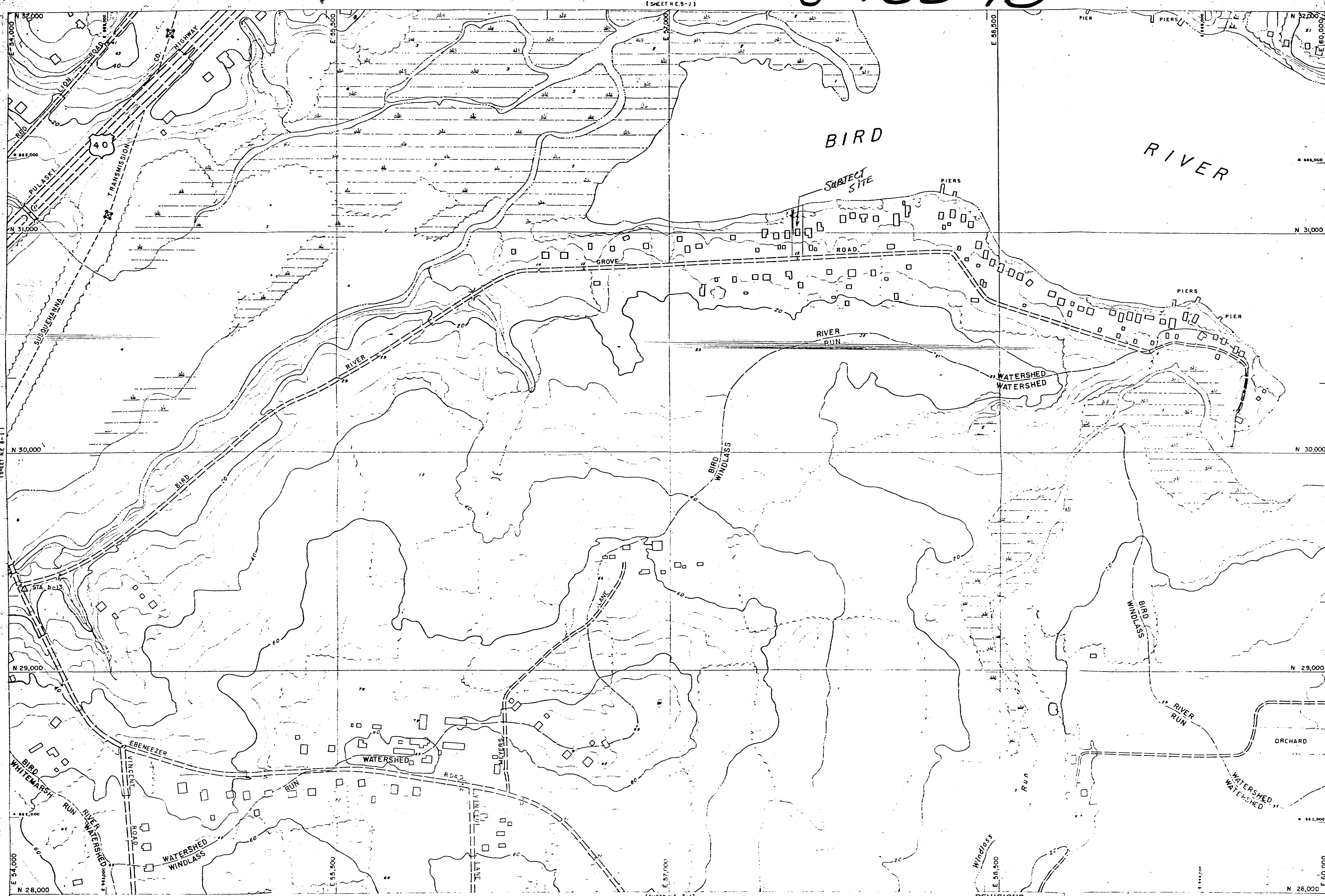
SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
COWENTON
VICINITY
17E# 393

SHEET
N E
8 - J

96-391-A

96-391-A



M-SE MM-SW
M-NE MM-NW

PANEL 295B

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
		1" = 200'	COWENTON	N. E.
		DATE OF PHOTOGRAPHY APRIL 1953	VICINITY	B - J
		Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION-Philadelphia, PA.	ITEM # 393	



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1985

COWENTON
VICINITY

ITEM# 393

N.E.
B.V.

96-391-A